IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2079 OF 2007

Bhalchandra Motiram Koli @ Nakhwa & Ors. ..... Petitioners.
V/s
Smt.Parvatibai Damodar Nakhwa.... ....Respondent.

Office Notes, Office Memoranda of Coram, appearances Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

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Ms.Prajakta Mhatre i/by Mr.D.N.Salvi, Adv. for the petitioners.

CORAM: A.P. DESHPANDE, J.
19.6.2007

PC:

The respondent instituted a suit for possession of the suit land. Civil suit came to be decreed. The First Appeal filed by the petitioner came to be dismissed. Learned counsel for the petitioner submits that the Second Appeal as well has been dismissed by the High Court. The petitioner has filed civil suit bearing No.39/97 for demolition of the boundary wall constructed on the suit land and for possession on the basis of interlocutory order passed in second appeal and petitioner is claiming that though there

was stay the decree was executed and possession taken.

2. In the said suit an application for appointment of Court Commissioner is made and the rejection of the same has given rise to the filing of this petition. Perused the order passed by the trial Court. As the petitioner has lost in second appeal there is no reason to interfere with the interim order. Petition is summarily dismissed.

19.6.07.